

**IN THE CIRCUIT COURTS OF THE
TENTH JUDICIAL DISTRICT OF ARKANSAS**

ADMINISTRATIVE PLAN – 2010

I. INTRODUCTION

Pursuant to Administrative Order Number 14 of the Arkansas Supreme Court, the undersigned Circuit Judges of the Tenth Judicial Circuit of Arkansas propose this administrative plan for submission to the Supreme Court for the purpose of judicial administration, designation of divisions, and management of caseloads of the divisions beginning January 1, 2010.

This proposal creates a substantially equal assignment of cases among the circuit judges in accordance with the weighted caseload system presently utilized by the Administrative Office of the Courts.

The Tenth Judicial Circuit consists of five (5) counties and five (5) judges. The current judges and their assigned divisions are as follows:

Judge Sam Pope	Division One
Judge Kenneth Johnson	Division Two
Judge Robert Bynum Gibson, Jr.	Division Three
Judge Don E. Glover	Division Four
Judge Teresa French	Division Five

II. ADMINISTRATIVE PLAN

The undersigned Circuit Judges of the Tenth Judicial Circuit submit this proposal as the administrative plan for circuit court administration to the Supreme Court for its approval. This Order is approved and agreed to by the undersigned and complies with Administrative Order Number 14.

A. Administrative Policy

The circuit judges will meet when needed for the purpose of administering this administrative order. The Administrative Judge shall call such meetings as and when necessary to carry out this plan and Administrative Order Number 14.

III. DIVISIONS

Each of the five (5) Circuit Judges of the Tenth Judicial Circuit shall at all times have the authority to hear all matters within the jurisdiction of the circuit court.

There is established in the Tenth Judicial Circuit, five (5) subject matter divisions in each county of the judicial circuit. They are as follows: criminal, civil, juvenile,

probate, and domestic relations. The designation of divisions is for the purpose of judicial administration and caseload management and is not for the purpose of subject matter jurisdiction. The creation of divisions shall in no way limit the powers and duties of the judges as circuit judges.

For the purposes of this Order:

1. "Probate" means cases relating to decedent estates, trust administration, adoption, guardianship, conservatorship, commitment, and adult protective custody.
2. "Domestic Relations" means cases relating to divorce, annulment, maintenance, custody, visitation, support, paternity, and domestic abuse.
3. "Juvenile" means cases relating to families in need of supervision, dependency and neglect, paternity and delinquency.
4. "Criminal" means cases relating to all matters involving the Arkansas Criminal Code except juvenile delinquency matters.
5. "Civil" means cases relating to all other matters not relating to Probate, Domestic Relations, Juvenile, or Criminal.

The above definitions of "Probate" and "Domestic Relations" are not intended to restrict the juvenile division of circuit court from hearing adoption, guardianship, support, custody, paternity, or commitment issues which may arise in juvenile proceedings.

IV. CASE ASSIGNMENT AND ALLOCATION

- A. Except for good cause to the contrary, the case assignment and allocation of cases shall be a substantially equal apportionment among the judges.
- B. Assignment of criminal cases

Effective January 1, 2010, all criminal cases in the District will be assigned by random selection as follows:

Division 1 – Fifty percent (50%) of cases in District

Division 3 – Fifty percent (50%) of cases in Drew County

Division 4 – Fifty percent (50%) of all cases in Ashley, Bradley, Chicot, and Desha Counties

Drug Court – A drug court division is recognized, and will be operated in Drew County, Arkansas. Under present policy, offenders from other counties in the District can be referred there if they otherwise meet acceptance criteria, particularly ability and means to travel. Drug Court shall be presided over weekly, or as otherwise scheduled, by the judges of Division One and Division Three, alternating every two weeks, or as otherwise agreed.

C. Assignment of Juvenile cases

Effective January 1, 2010, all juvenile cases will be assigned to Division Five.

D. Assignment of child support enforcement cases

Effective January 1, 2010, all domestic relations cases in the District involving establishment of paternity or enforcement of a child support obligation by the Office of Child Support Enforcement Unit of the Department of Human Services, shall be assigned as follows:

Ashley	Division Three
Bradley	Division Four
Chicot	Division One
Desha	Division Four
Drew	Division One

E. Assignment of civil cases

Effective January 1, 2010, all civil cases will be assigned by random selection as follows:

Division 1 – Forty percent (40%) of cases in Desha County

Division 2 – Forty percent (40%) of cases in Bradley County

Division 3 – Sixty percent (60%) of cases in Bradley, Desha and Drew Counties and seventy percent (70%) of cases in Ashley and Chicot Counties

Division 4 – Forty percent (40%) of cases in Drew County and Thirty percent (30%) of cases in Ashley and Chicot Counties

However, for purposes of judicial economy and the effective use of the personnel resources in the prosecuting attorney's and public defender's offices, civil drug forfeiture cases shall be assigned to the criminal division judge presiding over any associated criminal charges, if any exist. Such assignment shall be done by the Circuit Clerk if they can identify the associated case, or administratively by the Trial Court Assistants.

F. Assignment of domestic relations cases

Effective January 1, 2010, all domestic relations cases will be assigned to Division Two unless otherwise specifically provided for herein. This includes private paternity cases when neither of the parties is represented by the Child Support Enforcement Unit of the Arkansas Department of Human Services.

G. Assignment of probate cases

Effective January 1, 2010, all probate cases will be assigned to Division Two and Division Three on an equal basis by random selection.

Pursuant to Administrative Order Number 14 as amended, "random selection" means that cases assigned to a particular subject matter division shall be randomly distributed among the judges assigned to hear those types of cases.

H. Pending or supplemental proceedings filed after January 1, 2010

Effective January 1, 2010, all matters connected with a pending or supplemental proceeding, including any case subject to re-opening for any reason such as contempt or motion to modify, shall be automatically assigned by the clerk in accordance with the assignment schedule set out herein.

I. Cases closed prior to December 31, 2007, and re-opened after January 1, 2010

Effective January 1, 2010, any supplemental proceedings filed in cases closed prior to December 31, 2007, shall be assigned in the same manner as new cases according

to the random selection procedure based upon the particular division in which the case fits.

J. Assignment of pending cases

With the exception of one-half of the probate cases being assigned to Division Three instead of Division Five, this plan does not contain any major changes from the prior plan operating in the district. It is anticipated all pending cases shall remain in the division where they are presently assigned. If a judge determines transfer is necessary to carry out this plan, it shall be accomplished by transfer order.

K. Recusals

The procedures outlined in Supreme Court Administrative Order Number 14 will be followed in the event of recusal from a pending case by a presiding judge. Should a judge recuse, the case shall be assigned to another judge in that county who is hearing that type case under this plan. If no other judge is hearing these cases, the case shall be assigned by random drawing among all the judges.

L. General chamber day

Any attorney or pro se litigant having an uncontested matter to be presented in the Tenth Judicial District is notified that the circuit judges who handle cases in the district publish a yearly calendar. Those calendars are available in each of the circuit clerk's offices or from the individual judge's office. Those calendars normally include days allotted to hearing pre-trial motions, pleas and arraignments, omnibus hearings, and other matters. Uncontested matters may be placed on these dockets by calling the Trial Court Assistant of the judge scheduled for the particular county as revealed in the calendar.

V. SUPREME COURT

This administrative plan will be submitted to the Arkansas Supreme Court for its approval. Thereafter, a plan will be submitted to the Supreme Court as directed, if necessary. This plan may only be further amended if approved by the Supreme Court. Upon approval by the Supreme Court, the amended plan shall be filed with the Clerk of the Circuit Court in each of the five (5) counties of the Tenth Judicial Circuit and filed with the Clerk of the Supreme Court. In the event the approved plan is not being followed, a judge should first bring the matter to the attention of the circuit judges for resolution. In the event the complaining judge deems the resolution of the circuit judges, as a voting body, does not resolve the issue, the complaining judge may bring the matter to the attention of the Chief Justice of the Arkansas Supreme Court by setting out in

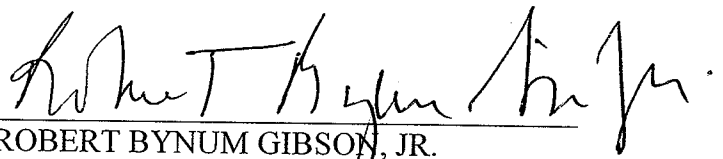
writing the nature of the problem. Upon receipt of a complaint, the Supreme Court may cause an investigation to be undertaken by appropriate personnel and will take other action as may be necessary to insure the efficient operation of the courts and the expeditious dispatch of litigation in the Tenth Judicial Circuit.

VI. TRANSITION

No change in divisions of circuit court will be effective as of January 1, 2010, unless the Supreme Court has approved this circuit's amended administrative plan. If approved by the Supreme Court, this amended plan will be implemented on January 1, 2010.

VII. ELECTION OF ADMINISTRATIVE JUDGE

Robert Bynum Gibson, Jr., serves as administrative judge until December 31, 2010. Thereafter the judges anticipate Teresa French and Kenneth Johnson will each be nominated to serve for a period of two years.



ROBERT BYNUM GIBSON, JR.
ADMINISTRATIVE JUDGE



OFFICE OF THE CIRCUIT JUDGE

Third Division

Tenth Judicial District

Drew County Courthouse • Monticello, Arkansas 71655

(870) 367-7604 / Fax (870) 367-2092

Robert Bynum Gibson, JR.

Circuit Judge

Counties Of:

Ashley, Bradley
Chicot, Desha
and Drew

Leta Taylor

Court Reporter

(870) 367-7604

Penny Rosegrant

Trial Court Assistant

(870) 367-7604

June 18, 2009

Honorable Sam Pope

FAX NO. 870-853-2032

Honorable Kenneth Johnson

FAX NO. 870-226-4424

Honorable Don Glover

FAX NO. 870-222-4781

Honorable Teresa French

FAX NO. 870-853-8267

Dear Judges:

The Administrative Plan is supposed to be filed by July 1, 2009. If this plan is acceptable to you, please send me a letter containing your approval and I will attach it to the plan instead of circulating the signature page. Other than changing the date, the name of the judge for Division Two and the assignment of one-half of the probate cases to me, there are no other changes. I assume this is all right with everyone. If not, let me know.

Yours very truly,

A handwritten signature in cursive script that reads "Robert Bynum Gibson, Jr.".

Robert Bynum Gibson, Jr.

Circuit Judge

Handwritten initials "RB" in a stylized, cursive font.

RBG/pr

Message Confirmation Report

JUN-18-2009 04:34 PM THU

Fax Number : 8703672092
Name : JUDGE BYNUM GIBSON

Name/Number : POPE / 918708532032
Page : 7
Start Time : JUN-18-2009 04:32PM THU
Elapsed Time : 01'54"
Mode : STD ECM
Results : [O.K]



Robert Bynum Gibson, JR.
Circuit Judge

Counties Of:
Ashley, Bradley
Chicot, Desha
and Drew

OFFICE OF THE CIRCUIT JUDGE

Third Division
Tenth Judicial District
Drew County Courthouse • Monticello, Arkansas 71655
(870) 387-7604 / Fax (870) 387-2092

June 18, 2009

Leta Taylor
Court Reporter
(870) 367-7604

Penny Rosegrant
Trial Court Assistant
(870) 367-7604

Honorable Sam Pope

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Yours very truly,

A handwritten signature in cursive script, appearing to read "Robert Bynum Gibson, Jr.", written in dark ink.

Robert Bynum Gibson, Jr.
Circuit Judge

RBG/pr

Message Confirmation Report

JUN-18-2009 04:42 PM THU

Fax Number : 8703672092
Name : JUDGE BYNUM GIBSON

Name/Number : JOHNSON / 918702264424
Page : 7
Start Time : JUN-18-2009 04:41PM THU
Elapsed Time : 00'56"
Mode : STD ECM
Results : [O.K.]



OFFICE OF THE CIRCUIT JUDGE

Third Division
Tenth Judicial District
Drew County Courthouse • Monticello, Arkansas 71656
(870) 367-7604 / Fax (870) 367-2062

Robert Bynum Gibson, JR.
Circuit Judge

Counties Of:
Ashley, Bradley
Chicot, Desha
and Drew

June 18, 2009

Leta Taylor
Court Reporter
(870) 367-7604

Penny Rosegrant
Trial Court Assistant
(870) 367-7604

Honorable Sam Pope

FAX NO. 870-853-2032

Honorable Kenneth Johnson

FAX NO. 870-226-4424

Honorable Don Glover

FAX NO. 870-222-4781

Honorable Teresa French

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Yours very truly,

A handwritten signature in cursive script, appearing to read "Robert Bynum Gibson, Jr.".

Robert Bynum Gibson, Jr.
Circuit Judge

RBG/pr

Message Confirmation Report

JUN-18-2009 04:45 PM THU

Fax Number : 8703672092
Name : JUDGE BYNUM GIBSON

Name/Number : GLOVER / 918702224781
Page : 7
Start Time : JUN-18-2009 04:44PM THU
Elapsed Time : 01' 02"
Mode : STD ECM
Results : [O.K.]



OFFICE OF THE CIRCUIT JUDGE

Third Division
Tenth Judicial District
Drew County Courthouse - Monticello, Arkansas 71656
(870) 367-7804 / Fax (870) 367-2092

Robert Bynum Gibson, JR.
Circuit Judge

Countries Of:
Ashley, Bradley
Chicot, Desha
and Drew

June 18, 2009

Leta Taylor
Court Reporter
(870) 367-7604

Penny Rosegrant
Trial Court Assistant
(870) 367-7604

Honorable Sam Pope

FAX NO. 870-853-2032

Honorable Kenneth Johnson

FAX NO. 870-226-4424

Honorable Don Glover

FAX NO. 870-222-4781

Honorable Teresa French

FAX NO. 870-853-8267

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Yours very truly,

A handwritten signature in cursive script, appearing to read "Robert Bynum Gibson, Jr.", written in dark ink.

Robert Bynum Gibson, Jr.
Circuit Judge

RBG/pr

OFFICE OF
CIRCUIT JUDGE
DON E. GLOVER
TENTH DISTRICT- FOURTH DIVISION
P. O. BOX 398
MCGEEHEE, ARKANSAS 71654

PHONE: 870-222-6885
FAX: 870-222-4781

June 25, 2009

Honorable Bynum Gibson
Administrative Judge
Tenth Judicial District
Drew County Courthouse
210 South Main
Monticello, Arkansas 71655

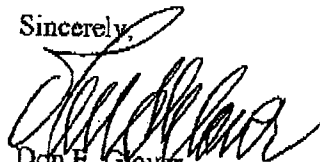
Re: Administrative Plan—2010

Dear Judge Gibson:

I have reviewed the Administrative Plan received from your office June 18, 2009.
This letter will serve as my approval of the plan as drafted.

Thank you.

Sincerely,



Don E. Glover
Circuit Judge

TERESA A. FRENCH
CIRCUIT JUDGE * TENTH DISTRICT * DIVISION FIVE

Chicot County Courthouse
Lake Village, Arkansas 71653

Mailing Address:
PO Drawer 100
Fountain Hill, AR 71642

Telephone: (870) 853-8247
Facsimile: (870) 853-8267
Case Coordinator: Laura Berryman
Court Reporter: Bobby Reynolds

January 21, 2008

Hon. Robert Bynum Gibson, Jr.
Circuit Judge
Drew County Courthouse
Monticello, AR 71655

RE: Administrative Plan - 2010

Dear Judge Gibson:

Please be advised that I have reviewed the 2010 Administrative Plan in it's entirety and with this letter I would like to submit my approval of the same.

Sincerely,


Teresa A. French

TAF/keb



B. Kenneth Johnson
Circuit Judge

(870) 226-4420
FAX (870) 226-4424

**OFFICE OF
CIRCUIT JUDGE**
Tenth District - Second Division
Bradley County Courthouse
101 East Cedar Street
WARREN, ARKANSAS 71671

June 19, 2009

Jan McLemore
Court Reporter
(870) 226-6435

JoAnn Smith
Trial Court Assistant
(870) 226-4420

Honorable Bynum Gibson
Administrative Judge
Tenth Judicial District
Drew County Courthouse
210 South Main
Monticello, AR 71655

Re: Administrative Plan- 2010

Dear Judge Gibson:

I have reviewed the Administrative Plan received from your office June 18, 2009. This letter will serve as my approval of the plan as drafted.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "B. Kenneth Johnson".

B. Kenneth Johnson
Circuit Judge

BKJ/jgs

TERESA FRENCH
Circuit Judge, Fifth Division
P.O. Drawer 100

Fountain Hill, AR 71642

Phone: (870) 853-8247 Fax: (870) 853-8267

E-mail: lkvgcrt@yahoo.com

June 24, 2009

Honorable Bynum Gibson
Circuit Judge
Drew County Courthouse
Monticello, AR 71655

Re: Administrative Plan-2010

Dear Judge Gibson:

I have reviewed the Administrative Plan-2010 and am in agreement with the changes.

Sincerely,

Teresa French by Laura Berryman
Teresa French, *Laura Berryman*
Circuit Judge *approved by teleph*
6-23-09

TF/lb

Bobby Reynolds, Court Reporter Laura Berryman, Trial Court Assistant
Paulette Mitchell, DHS Coordinator

**CIRCUIT JUDGE SAM POPE
TENTH JUDICIAL DISTRICT—DIVISION 1**

MIKE ASHCRAFT
COURT REPORTER
0) 226-7656

ASHLEY COUNTY COURTHOUSE
205 EAST JEFFERSON STREET, NO. 12
HAMBURG, ARKANSAS 71646
PHONE/FAX (870) 853-2032
TOLL-FREE 1-877-896-1536

PAM MURPHY
TRIAL COURT ASSISTANT
(870) 853-2032

June 19, 2009

Honorable Bynum Gibson
Circuit Judge
Drew County Courthouse
Monticello, AR 71655

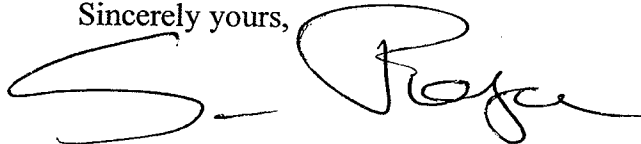
RE: Administrative Plan – 2010

Dear Judge Gibson:

I have received and reviewed the proposed Administrative Plan for the Tenth Judicial District for 2010. The plan as proposed meets with my approval.

Should you need anything further from me, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "S. Pope", with a large, stylized "P" and a long horizontal stroke extending to the left.

Sam Pope
Circuit Judge

SP:pfm